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Attorney Docket No.: 43890-723
PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Yoshinori ISHIDA, et al.

Serial No.: 10/531,452

Filed: April 14, 2005

For: COMPRESSOR

:
: Customer No. 53080
:
: Confirmation No.: 6882
:
: Group Art Unit: 3746
: Examiner: LEONARD J. WEINSTEIN
:

ELECTION UNDER 35 U.S.C. § 121

Mail Stop Amendment
Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the restriction requirement set forth in the Office Action mailed September 16, 2008, having a shortened statutory period for response set to expire October 16, 2008, wherein the Examiner required restriction between the following distinct Species:

- | | | |
|-----------|---|--|
| Species A | - | The embodiment shown by Figures 1-3; |
| Species B | - | The embodiment shown by Figures 4-6; |
| Species C | - | The embodiment shown by Figures 7-9; |
| Species D | - | The embodiment shown by Figures 10-12; |
| Species E | - | The embodiment shown by Figure 13; |
| Species F | - | The embodiment shown by Figure 14; |
| Species G | - | The embodiment shown by Figures 15-16; |
| Species H | - | The embodiment shown by Figures 17-18; |
| Species I | - | The embodiment shown by Figures 19-20; |
| Species J | - | The embodiment shown by Figures 21-22; |
| Species K | - | The embodiment shown by Figures 23-25; |
| Species L | - | The embodiment shown by Figures 26-27; |

Species M - The embodiment shown by Figures 28-29;
Species N - The embodiment shown by Figures 30-32; and
Species O - The embodiment shown by Figures 33-34.

Applicants elect Species E (Figure 13), with claims 1 and 11-14 readable thereon, for initial prosecution on the merits. Applicants also reserve the right to file a Divisional Application for the non-elected claims which the Examiner has indicated are patentably distinct.

Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition for extension of time.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-0417.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

Date: 10/15/08

By:  #46,692

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